

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 05-6365

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

LARRY LAMONT COLLINS,

Defendant - Appellant.

Appeal from the United States District Court for the Middle
District of North Carolina, at Durham. N. Carlton Tilley, Jr.,
Chief District Judge. (CR-00-50)

Submitted: July 27, 2005

Decided: August 8, 2005

Before KING, GREGORY, and SHEDD, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Larry Lamont Collins, Appellant Pro Se. Sandra Jane Hairston,
Assistant United States Attorney, Greensboro, North Carolina, for
Appellee.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Larry Lamont Collins seeks to appeal from an order of a magistrate judge denying post-judgment motions for a transcript of Collins's criminal trial and other court documents, and a motion to compel his former attorney to relinquish trial transcripts. As the magistrate judge did not have jurisdiction to enter a final, appealable post-judgment order, see 28 U.S.C. § 636 (2000); Estate of Conners, 6 F.3d 656, 658-59 (9th Cir. 1993), we lack jurisdiction to review the order in question.

This court may exercise jurisdiction only over final orders, 28 U.S.C. § 1291 (2000), and certain interlocutory and collateral orders, 28 U.S.C. § 1292 (2000); Fed. R. Civ. P. 54(b); Cohen v. Beneficial Indus. Loan Corp., 337 U.S. 541 (1949). The order Collins seeks to appeal is neither final nor otherwise appealable. Accordingly, we deny Collins's motion to proceed in forma pauperis and dismiss the appeal for lack of jurisdiction.* We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED

*Collins may seek review of the magistrate judge's order in the district court. 28 U.S.C. § 636(b)(1) (2000).